

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

OMNI ENERGY GROUP, LLC,

Plaintiff,

v.

Civil Action 2:25-cv-15  
Judge Algenon L. Marbley  
Magistrate Judge Chelsey M. Vascura

OHIO DEPARTMENT OF NATURAL  
RESOURCES, *et al.*,

Defendants.

**REPORT AND RECOMMENDATION**

After Plaintiff failed to effect service of process over defendants identified as “John Doe # 1” and “Jane Doe #2,” the Court ordered Plaintiff to show cause within fourteen days why the Court should not dismiss its claims against the Doe Defendants without prejudice for failure to effect service, and why the Court should allow an extension of time to effect service. (April 16, 2025 Show Cause Order, ECF No. 43.) Plaintiff never responded to the Order but has since made two filings in response to Motions to Dismiss. (ECF Nos. 44, 48.)

It appears Plaintiff has made no attempt to identify or serve the Doe Defendants. Plaintiff has not shown cause as to why the deadline to effect service over the Doe Defendants should be extended. Accordingly, it is **RECOMMENDED** that Plaintiff’s claims against the Doe Defendants be **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 4(m) for failure to timely effect service of process.

### **PROCEDURE ON OBJECTIONS**

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made, together with supporting authority for the objection(s). A District Judge of this Court shall make a *de novo* determination of those portions of the Report or specified proposed findings or recommendations to which objection is made. Upon proper objections, a District Judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein, may receive further evidence or may recommit this matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

/s/ Chelsey M. Vascura  
CHELSEY M. VASCURA  
UNITED STATES MAGISTRATE JUDGE